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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/724,871 Confirmation No.: 1629  
Applicant(s) : Randall S. HICKLE  
Filed : December 2, 2003  
TC/A.U. : 3764  
Examiner : Not Yet Assigned  
Title : Systems and Methods for Providing Gastrointestinal Pain Management  
Docket No. : 82021-0043  
Customer No. : 24633

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application.

The USPTO has waived the requirements under 37 CFR 1.98(a)(2)(I) to submit copies of U.S. Patent and U.S. Patent applications, publications when citing and submitting an Information Disclosure Statement in a patent application filed after June 30, 2003, and International Application that have entered the National Stage under 37 U.S.C. 371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to PRE-OG Notice from the Office of Patent Legal Administration dated July 25, 2003, stating an Information Disclosure Statement may be filed without copies of U.S. patent and published applications for patent applications filed after June 30, 2003.

This information disclosure statement is being filed within one of the following time periods: within three months of the filing date of this application other than a continued

prosecution application, or within three months of the date of entry into the national stage of this international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No.

50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: August 4, 2004

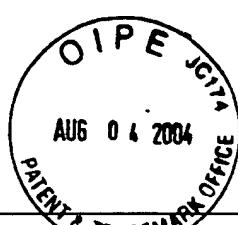
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Sheet 1 of 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO 82021-0043	APPLICATION NO. 10/724,871
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Randall S. HICKLE	
(Use several sheets if necessary)		FILING DATE December 2, 2003	GROUP 3764

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	5,183,031	02/02/1993	Rossoff			
	A2	5,579,758	12/03/1996	Century			
	A3	5,817,073	10/06/1998	Krespi			
	A4	5,913,816	06/22/1999	Sanders et al			
	A5	6,027,499	02/22/2000	Johnston et al			
	A6	6,224,544 B1	05/01/2001	Takada			
	A7	2001/0012923 A1	08/09/2001	Christopher			
	A8	2002/0049365 A1	04/25/2002	Takada			

### FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	ABSTRACT	
							Yes	No

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.